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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DOUGLAS W. JAMES, JR.,

Plaintiff,

v.

UNITED STATES OF AMERICA (United
States Department of the Interior-San
Francisco Maritime National Historical
Park),

Defendant.

No. C 11-2552 MEJ

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING THE ADR
DEADLINE**

Pursuant to Local Civil Rules 6-1 and 6-2, defendant United States of America (“Defendant”) and plaintiff Douglas W. James, Jr. (“Plaintiff”), by and through their respective counsel, hereby jointly and respectfully request that the Court continue the Alternative Dispute Resolution (ADR) deadline in this matter to February 29, 2012. In accordance with Local Civil Rule 6-2(a), this stipulation is supported by the Declaration of Ann Marie Reding and a proposed order, which are filed herewith. The parties stipulate as follows:

1. On May 26, 2011, Plaintiff filed his Complaint in this case. *See* Docket No. 1.
2. On August 25, 2011, the Court referred this case to mediation. *See* Docket No. 9.
3. On September 1, 2011, the Court appointed Joel Franciosa to mediate this case.

1 See Docket No. 10.

2 4. Based on ADR Local Rule 3-6, the deadline for the parties to mediate this case is
3 ninety days from the Court's Order referring this case to mediation, or November 22, 2011.

4 See Declaration of Ann Marie Reding ("Reding Decl."), ¶ 5.

5 5. On September 29, 2011, the parties participated in a conference call with Mr.
6 Franciosa and agreed to a mediation date of December 19, 2011. See Reding Decl., ¶ 6.

7 6. On or about October 11, 2011, the parties agreed to depose Plaintiff on November
8 23, 2011. See *id.* at ¶ 7.

9 7. On or about November 8, 2011, counsel for Defendant informed Plaintiff's
10 counsel that she would like to obtain Plaintiff's medical records prior to his deposition and
11 believed it made sense to delay the deposition until after such time that the documents could be
12 received. Counsel for Plaintiff was agreeable to continuing the deposition to a later date. See *id.*
13 at ¶ 8.

14 8. Due to the parties' unavailability during the holidays, and in order to allow time
15 for Defendant to limited discovery responses, as well as Plaintiff's medical records, the parties
16 have stipulated to a deposition date in January 2012 and will agree to mediation date before
17 March 31, 2012. See *id.* at ¶ 9.

18 9. No prior extensions of time have been requested or granted. See *id.* at ¶ 10.

19 10. The requested time modification will not impact any other deadline imposed by
20 Court. See *id.* at ¶ 11.

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11. In light of the foregoing, the parties request that the Court continue the last day to mediate this case until March 31, 2012.

DATED: November 21, 2011

Respectfully submitted,

/s/ Rey Hassan
REY HASSAN
Attorney for Plaintiff

DATED: November 21, 2011

Respectfully submitted,
MELINDA HAAG
United States Attorney

/s/ Ann Marie Reding
ANN MARIE REDING
Assistant United States Attorney
Attorneys for Defendant

PROPOSED ORDER

Plaintiff and Defendant's Stipulated Request to Continue the ADR deadline is hereby
GRANTED. The last day to mediate this case is continued until March 31, 2012.

Date: November 21, 2011


HON. MARIELLEN A. JAMES
United States Magistrate Judge